

SUPPORT FOR THE AMENDMENTS

Newly-added Claims 33-59 are supported by the specification and the original claims. Accordingly, no new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 33-59 are now pending. Favorable reconsideration is respectfully requested.

The present invention relates to a polymer dispersion having low viscosity, comprising:

- A) at least one dispersed polyolefin,
- B) at least one dispersing component,
- C) at least one carrier medium, and
- D) from 0.3 to 15% by weight of at least one compound selected from the group consisting of water, ethylene glycol, 1,2-propylene glycol, 1,3-propylene glycol, methanol, ethanol, 2-chloroethanol, butanol, glycerol, ethanolamine, 1,2-ethanediamine, propanolamine, a halogenated hydrocarbon, a ketone and mixtures thereof.

See Claim 33.

The rejection of the claims under 35 U.S.C. §103(a) over Takigawa et al. (U.S. patent No. 5,026,496) is respectfully traversed. Takigawa et al. fail to suggest the claimed polymer dispersion.

Takigawa et al. disclose a polymer composition useful as a viscosity index improver which contains (A) an olefinic copolymer, (B) a copolymer of an olefin with a (meth)acrylate, (C) a poly(meth)acrylate, and (D) a surfactant that is a poor solvent for both components (A) and (C). See the Abstract.

Component (D) of Takigawa et al.-- the surfactant, does not overlap with compound D) specified in Claim 33.

Surfactant (D) of Takigawa et al. is an alkoylated active hydrogen-containing compounds. See column 4, lines 4-5. Column 4, lines 11-57 describe the active hydrogen-containing compounds that are alkoxylated. The alkylene oxides which may be used to functionalize the active hydrogen-containing compounds are described at column 4, line 58 to column 4, line 10. Specific examples of suitable alkoylated active hydrogen-containing compounds are described by Takigawa et al. at column 5, lines 11-68.

In contrast, none of the compounds specified in D) of Claim 33-- i.e., water, ethylene glycol, 1,2-propylene glycol, 1,3-propylene glycol, methanol, ethanol, 2-chloroethanol, butanol, glycerol, ethanolamine, 1,2-ethanediamine, propanolamine, a halogenated hydrocarbon, a ketone are alkoylated active hydrogen-containing compounds. Therefore, there is no overlap between compound D) of the present invention and surfactant (D) of Takigawa et al.

In view of the foregoing, Takigawa et al. fails to suggest the claimed polymer dispersion. Accordingly, the subject matte of the pending claims is not obvious over that reference. Withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §112, second paragraph, is believed to be obviated by the amendment submitted above. Components C) and D) do not overlap, i.e., both a C) component and a D) component must be present in the polymer dispersion.

In view of the foregoing, the claims are definite within the meaning of 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Application No. 10/525,529
Reply to Office Action of June 29, 2009

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

James J. Kelly, Ph.D.
Attorney of Record
Registration No. 41,504

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)